

CHANGES TO THE HIGHWAY CODE:

**HOW CYCLISTS, DRIVERS AND
PEDESTRIANS ARE AFFECTED**



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Updated Highway Code laws came into force on 29th January 2022. It affects driver priority, pedestrian and cyclist rights of way, mobile phone use behind the wheel and broader use of fines for poor or dangerous driving. The biggest notable change—likely coming into play in anticipation of Autonomous Vehicles (AVs) — the law will require ‘those who can do the greatest harm to others to have a higher level of responsibility to reduce the danger’.

This “Hierarchy of Road Users”, known as Rule H1, is a concept that places those road users most at risk in the event of a collision at the top of the hierarchy. This doesn’t remove people’s responsibility when using the road, but does mean that pedestrians, horse riders and cyclists are prioritised on the road above vehicles.



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Below is a summary of some of the key rule changes and the penalties that may be faced for non-compliance, whether you're a motorist, cyclist or pedestrian:

	Before	Now	Penalty
Drivers no longer have priority at junctions	Drivers had priority at junctions unless the other road user was half way across the junction.	If a motorist is turning at a junction and there's a cyclist, horse-rider, pedestrian or scooter ready or preparing to cross, these more vulnerable road users have right of way.	If an incident occurs, the fault will automatically lie with those 'who can do the greatest harm' unless proven otherwise. Confirmed liability could result in an increase in insurance costs, court costs, fines, penalty points and even potential prison time.
All traffic must stop for pedestrians waiting at crossings	Cyclists, drivers and horse riders only had to stop at zebra and parallel crossings if someone was already walking across, with an advisory to slow down on the approach to a zebra crossing, in anticipation of pedestrians.	Cyclists, horse-riders and motorists are legally required to stop at zebra crossings if people are waiting to cross, not just if they are already crossing.	A fine and penalty points.
Cyclists can ride wherever they feel most visible	Cyclists have only been mandated to ride on the left (i.e. not against the flow of traffic) and ensure bike lights are used at night. They are advised to wear visible clothing and a helmet.	Cyclists are required to ride no less than half a metre from the verge or kerb, and 'further where it is safer'. Motorists must pass cyclists with at least 1.5 metres space at up to 30mph. They will need to give more distance if passing at higher speeds. Cyclists are expected to pull to the left on quieter roads, in slower-moving traffic and at busy junctions. There's no legal requirement to use cycle lanes.	A fine and penalty points.

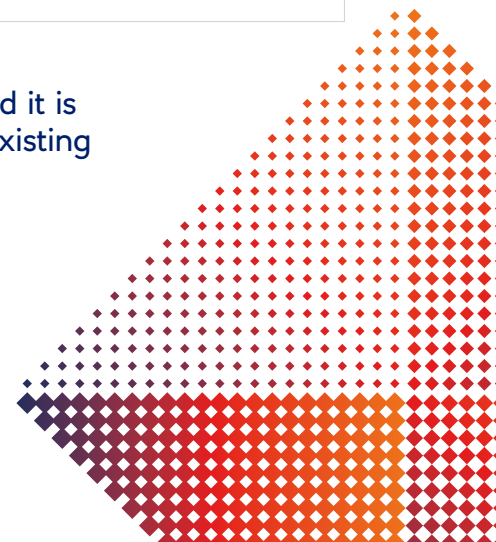


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	Before	Now	Penalty
Drivers must wait for a safe gap in the flow of cyclists	There was no explicit requirement for drivers to treat cyclists as though they were other vehicles.	Motorists are advised against turning in such a manner that cuts across a cyclists' right of way, and they are explicitly asked to consider cyclists like another motor vehicle.	Since this is an advisory, rather than a legal requirement, the penalty will only be decided in the case of collision. Motorists are however legally required to give way, and failing to do so could result in a £70 fine.
All uses of hand-held mobiles are banned, except in an emergency	The use of mobile phones to call and text has been banned since December 2003. The Highway Code, however, didn't say anything about using a mobile phone in other ways while driving.	The 2022 update prohibits any driver from using their handheld device for anything, including taking videos or photos, scrolling through playlists or playing games - even if the vehicle isn't moving. While mobile phones can be used for hands-free calls, payment at tolls or booths and satellite navigation, they'll need to be securely fixed.	Motorists face a £200 fine and six penalty points if caught touching their mobiles during their journeys. For newly qualified drivers, six points would see their licence revoked.
Poor driving decisions more punishable	Yellow hatched lines, creating a box junction, must not be entered unless the exit is clear. Other minor motoring infringements such as entering Advanced Stopping Lines (ASLs), driving the wrong way up a street and not giving way to oncoming traffic are correctable by the police.	Introduced from Spring 2022, local authorities will be given more power, enabling them to fine drivers for minor traffic offences. This will include, though not be limited to: <ol style="list-style-type: none"> 1. Sitting in box junctions. 2. Failing to give way to oncoming traffic. 3. Making a U-turn in a prohibited area. 	National Fine - up to £70 (rises to £130 in London)
The 'Dutch reach' is the recommended method of vehicle exit	Motorists could exit their vehicle any way they prefer, but are advised to take care to check mirrors and check over their shoulder for any oncoming traffic.	In an attempt to cut the number of cyclists hit by car doors unexpectedly swinging open, the Dutch Reach has been advocated. This involves the driver or car passenger to using the hand furthest from the door to open it (i.e. a driver's left hand) - prompting a passenger or driver to swivel their bodies and their heads to look over their shoulder and be more mindful of passing cyclists.	There's not a specific penalty, as this is guidance rather than law.

There have been a number of changes to the Highway Code, and it is worth all road users apprising themselves of both the new and existing rules of road users. You can find out the full list here:

www.gov.uk/the-highway-code



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